
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JOHN CARRION, §
§
Plaintiff, §
§
versus § CIVIL ACTION NO. 1:21-CV-398
§
INMATE TRUST FUND & PRISON MAIL, §
§
Defendant. §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff John Carrion, a prisoner confined at the Cleveland Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting plaintiff's motion to dismiss and dismissing the action without prejudice.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report and recommendation of the magistrate judge (#7) is **ADOPTED**. Plaintiff's

motion to dismiss (#6) is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 10th day of September, 2021.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE